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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,334	03/09/2004	Tomio Kimura	5000-5152	4270
27123	7590	07/06/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			ZANELLI, MICHAEL J	
		ART UNIT	PAPER NUMBER	
		3661		
DATE MAILED: 07/06/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/797,334	KIMURA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael J. Zanelli	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 09 March 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) \_\_\_\_\_ is/are rejected.  
7)  Claim(s) 1-18 is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 09 March 2004 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/9/04; 8/18/04.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_.

### **DETAILED ACTION**

1. The application filed 3/9/04 has been examined. Claims 1-18 are pending.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. The IDS filed 3/9/04 and 8/18/04 have been considered.
4. The abstract of the disclosure is objected to because it contains legalese ("means"). Correction is required. See MPEP § 608.01(b).
5. Claims 1-18 are objected to because of the following informalities:
  - A. As per claim 1, at line 7 the claim is confusing as written ("calculating operating ..."). The examiner suggests deleting the word "operating". Further, the claim is unclear as to the geometrical relationship between the parking space and the passage. The examiner suggests inserting --perpendicular to the passage-- after "parking space" at line 9. This would be consistent with each of the drawings which show the passage and parking space at right angles to each other.
  - B. As per claim 4, at line 3 it appears applicant is attempting to claim a "driver". The examiner believes that line 3 should be prefaced with --wherein--.
  - C. As per claim 14, it is unclear as to what the "circumference" is relative to. The examiner believes applicant may be referring to an area surrounding the vehicle and suggests inserting --surrounding the vehicle-- after "circumference".
  - D. As per claim 15, at line 3 "the steering wheel" should be --a steering wheel-- (note claims 2 and 4 introduce this element).

E. As per claim 18, it appears from the disclosure that only one steering angle sensor is present in the parking assisting device (see for example Fig. 29). Since previous claim 4 already provides a steering angle sensor, it is believed the recitation in claim 18 should be “the (said) steering angle sensor”.

F. All claims depending from an objected base claim are also objected to as containing the same deficiencies.

6. Claims 1-18, as best interpreted given the deficiencies noted above, are distinguishable over the prior art. As per claim 1, the prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, a parking assisting device which includes a passage width measurement means for measuring a width of the passage and calculating an initial stopping position required for parking the vehicle in-parallel into a target parking space. Dependent claims 2-18 are distinguishable for at least the same reasons.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited documents represent the general state of the art of vehicle parking assistance.

8. This application is in condition for allowance except for the following formal matters:

A. The abstract.

B. Correction of claim deficiencies noted above relative to clarity.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Zanelli whose telephone number is (571) 272-6969. The examiner can normally be reached on Monday-Thursday 8:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/mjz

  
MICHAEL J. ZANELLI  
PRIMARY EXAMINER